

The Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff

v.

CALEB DEAN ECCLES,

Defendant.

NO. CR14-5290 RBL

DISCOVERY PROTECTIVE ORDER

This matter, having come to the Court's attention on the Stipulation for Entry of a Discovery Protective Order submitted by the United States of America and Defendant Caleb Dean Eccles, and the Court, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. Protected Material

The following documents and materials are deemed Protected Material. The United States will make available copies of the Protected Materials, including those filed under seal, to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Materials is limited to the attorneys of record, and investigators, paralegals, law clerks, experts and assistants for the attorneys of record (hereinafter collectively referred to as members of the defense team). This category of Protected Materials will be marked and labeled as "Protected Material":

DISCOVERY PROTECTIVE ORDER/
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UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WA 98101
(206) 553-7970

1 a. Grand Jury transcripts and exhibits.

2 b. Victim/Witness statements, including but not limited to reports of
3 law enforcement officers memorializing witness/victim statements, audio/video
4 recordings of interviews of victims and witnesses, and anti-harassment or protection
5 order hearings and applications.

6 c. Records, reports, and documents related to medical visits and
7 examinations, children's advocacy centers and agencies, Child Protective Services, and
8 schools.

9 d. The personal information related to victim/witnesses, and any
10 statements and documents containing personal information about or related to any
11 victims and witnesses provided by the government in discovery is deemed Protected
12 Material. As used in this Order, the term "personal information" refers to each victim
13 and witness's full name, date of birth, Social Security number (or other identification
14 information), driver's license number, address, telephone number, location of residence
15 or employment, school records, juvenile criminal records, and other confidential
16 information.

17 2. Scope of Review of Protected Material

18 The attorneys of record and members of the defense team may display and review
19 the Protected Material with the Defendant. The attorneys of record and members of the
20 defense team acknowledge that providing copies of the Protected Material to the
21 Defendant and other persons is prohibited, and agree not to duplicate or provide copies of
22 Protected Material to the Defendant and other persons.

23 The United States Attorney's Office for the Western District of Washington is
24 similarly allowed to display and review the Protected Material to lay witnesses, but is
25 otherwise prohibited from providing copies of the Protected Material to lay witnesses, i.e.
26 non-law enforcement witnesses.

1 3. Consent to Terms of Protective Order

2 Members of the defense team shall provide written consent and acknowledgement
3 that they will each be bound by the terms and conditions of this Protective Order. The
4 written consent need not be disclosed or produced to the United States unless requested
5 by the Assistant United States Attorney and ordered by the Court.

6 4. Parties' Reciprocal Discovery Obligations

7 Nothing in this order should be construed as imposing any discovery obligations
8 on the government or the defendant that are different from those imposed by case law and
9 Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

10 5. Filing of Protected Material

11 Any Protected Material that is filed with the Court in connection with pre-trial
12 motions, trial, sentencing, or other matter before this Court, shall be filed under seal and
13 shall remain sealed until otherwise ordered by this Court. This does not entitle either
14 party to seal their filings as a matter of course. The parties are required to comply in all
15 respects to the relevant local and federal rules of criminal procedure pertaining to the
16 sealing of court documents.

17 6. Nontermination


18 The provisions of this Order shall not terminate at the conclusion of this
19 prosecution.

20 7. Violation of Protective Order

21 Any violation of any term or condition of this Order by the Defendant, his
22 attorney(s) of record, any member of the defense team, or any attorney for the United
23 States Attorney's Office for the Western District of Washington, may be held in contempt
24 of court, and/or may be subject to monetary or other sanctions as deemed appropriate by
25 this Court.

1 If the Defendant violates any term or condition of this Order, the United States
2 reserves its right to seek a sentencing enhancement for obstruction of justice, or to file
3 any criminal charges relating to the Defendant's violation.

4 DATED this 20th day of October, 2014.

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7 THE HONORABLE RONALD B. LEIGHTON
8 UNITED STATES DISTRICT COURT JUDGE
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